

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION


ACIE GILKEY, JR.,	§	
	§	
Petitioner,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	3:06-CV-613-P
NATHANIEL QUARTERMAN, Director	§	
Texas Department of Criminal Justice,	§	
Correctional Institutions Division,	§	
	§	
Respondent.	§	

ORDER

This is petition for writ of habeas corpus filed by a state inmate pursuant to 28 U.S.C. § 2254. The magistrate judge issued his Findings, Conclusions, and Recommendation on September 25, 2006 finding that the petition is time-barred. Instead of filing objections to the magistrate judge's report, petitioner filed a notice of appeal to the Fifth Circuit Court of Appeals on October 6, 2006. The court has reviewed petitioner's notice of appeal and will consider the arguments in the notice of appeal as objections to the magistrate judge's report.

After review of the file, the magistrate judge's report, and petitioner's objections, the court finds the magistrate judge correctly decided that petitioner's claims are time-barred. The court accepts the Findings and Conclusions of the magistrate judge and adopts them as the findings and conclusions of the court. Petitioner's motions for hearing, judicial review, for leave to proceed *in forma pauperis*, and for DNA testing are also Denied.

Signed this 8th day of November 2006.



JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE